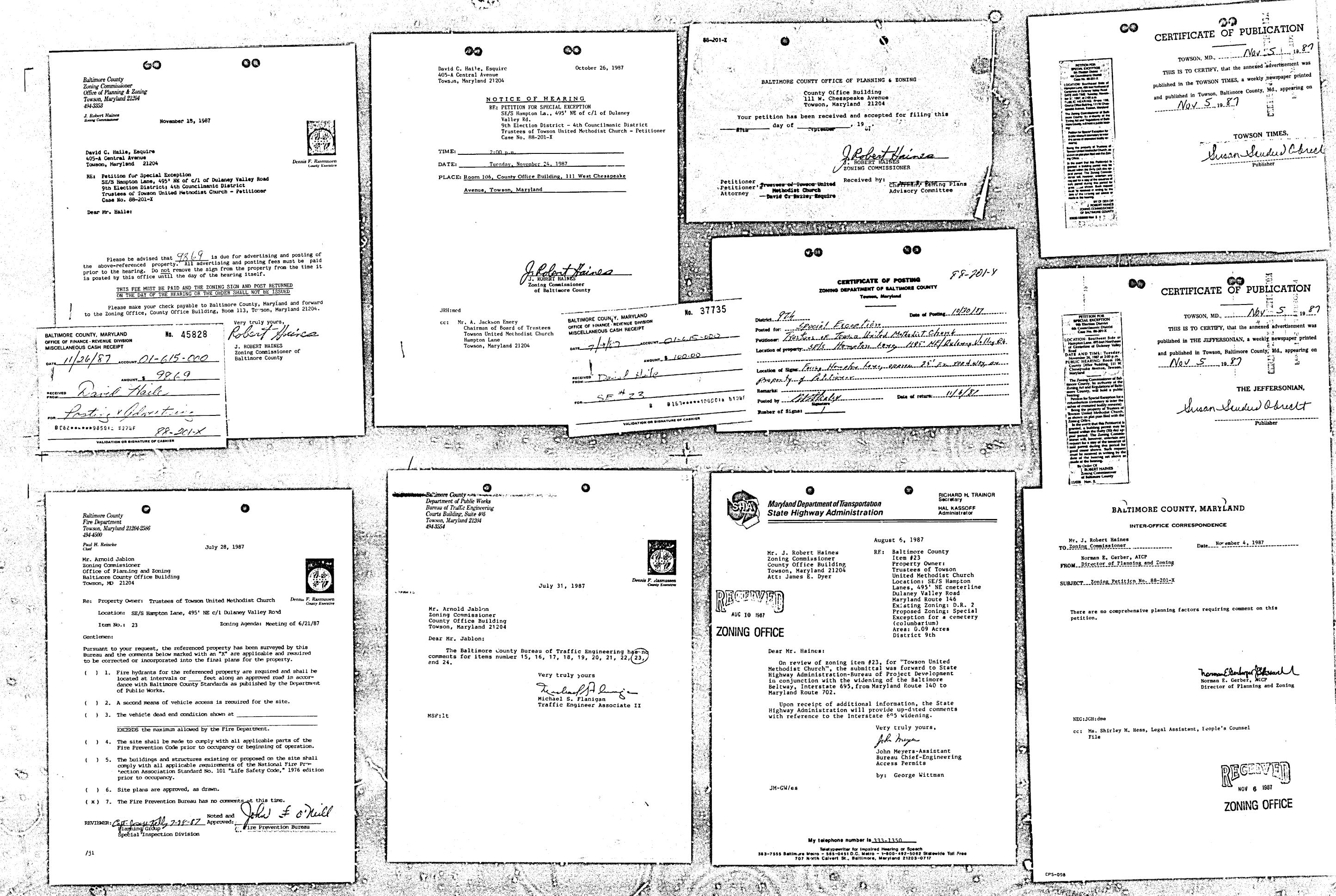
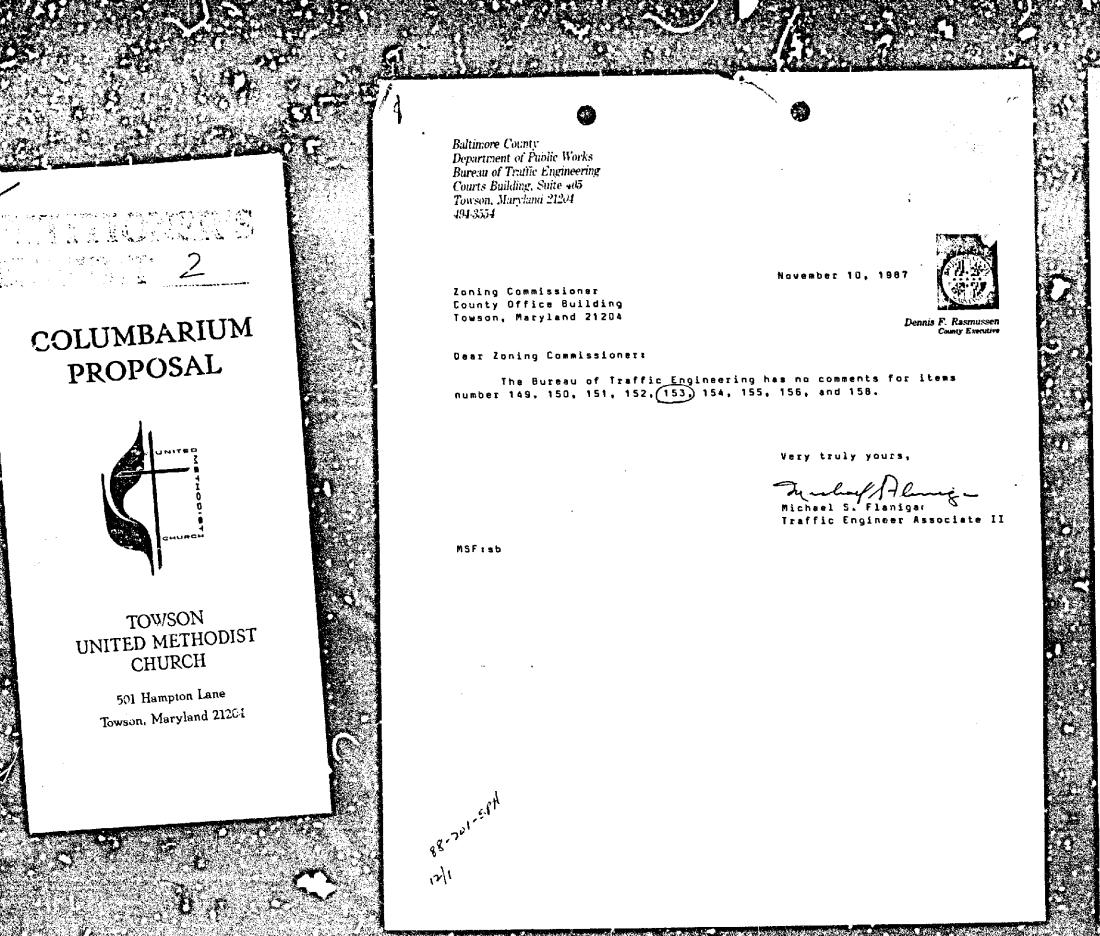
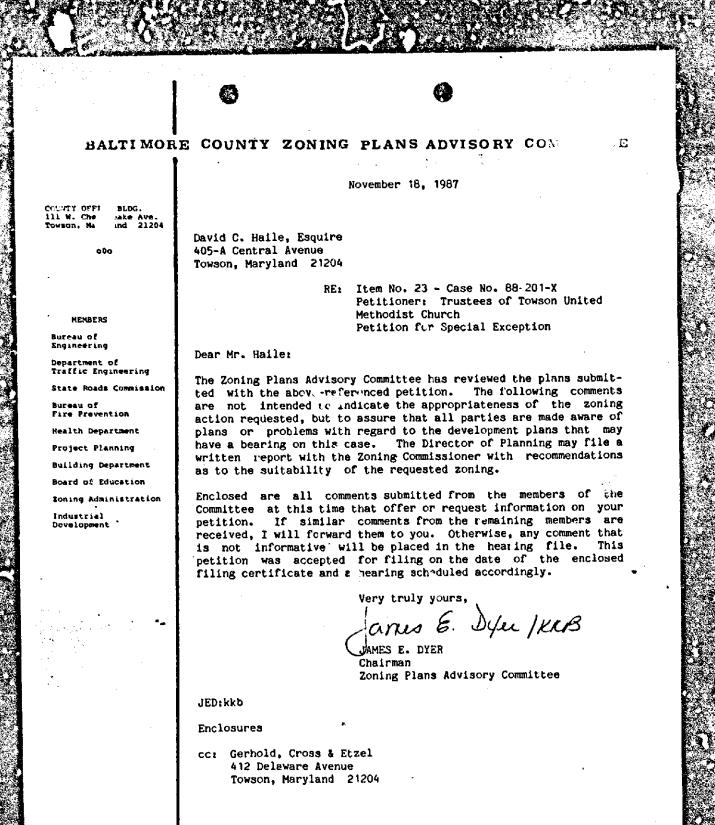
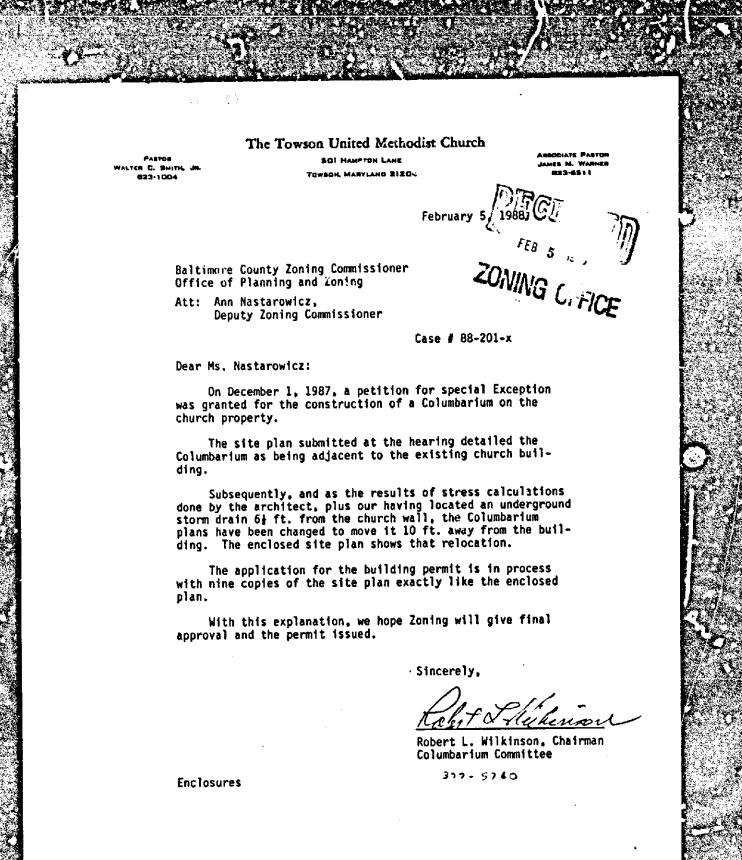
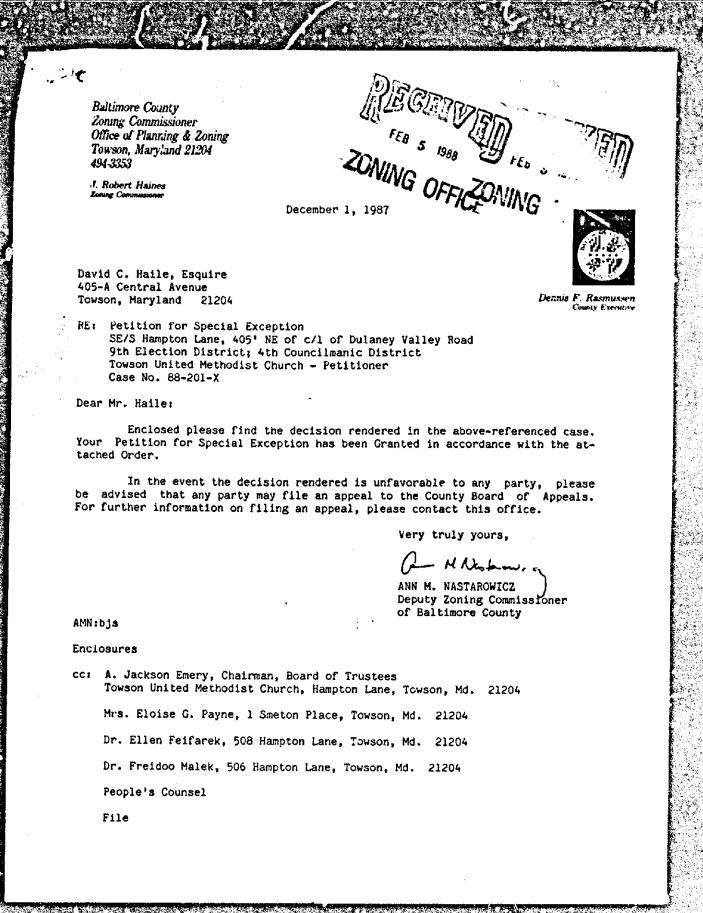
PETITION FOR SPECIAL EXCEPTION as set forth in Section 502.1. The Petitioner has shown that the proposed use cated that the decision to build the columbarium was made after approximately 40 N RE: PETITION FOR SPECIAL EXCEPTION # will not be detrimental to the health, safety and general welfare of the local-W NE-IIA TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: SE/S Hampton Lane, 495' NE OI DEPUTY ZONING COMMISSIONER members of the congregation expressed a desire to have a columbarium installed c/l of Dulaney Valley Road ity; nor tend to create a congestion in roads streets or alleys therein; nor The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a 9th Election District OF BALTIMORE COUNTY at the Church and the full congregation voted favorably. She indicated that the D. 94 Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the 4th Councilmanic District tend to overcrowd land and cause undue concentration of population; nor inter-Case No. 85-201-SPX Church is considered a natural repository for burial of the ashes of those who MTE /-25-48 herein described property for _a cemetery (columbarium) This is a facility to ____ Trustees of Towson United fere with adequate provisions for schools, parks, conveniences or improvements; OD ET Methodist Church have been members of the congregation and practiced there for many years. inter the ashes of cremated bodily remain nor interfere with adequate light and air; nor be inconsistent with the purposes Petitioner 000 <u>& F</u> The columbarium is proposed to be installed on the northwest side of the of the property's zoning classification; nor in any other way be inconsistent FINDINGS OF FACT AND CONCLUSIONS OF LAW Church grounds. The exterior of the columbarium will be constructed with four with the spirit and intent of the BCZR. The Petitioner herein requests a special exception for a cemetery (col-Property is to be posted and advertised as prescribed by Zoning Regulations four-foot high brick walls. The surrounding property will be landscaped with The Petitioner has shown that the proposed use would be conducted withumbarium) at the Towson United Methodist Church, as more particularly described I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions trees to provide screening. The Church plans to initially install 168 niches. out real detriment to the neighborhood and would not adversely affect the public Each niche will hold four urnes. interest. The facts and circumstances do not show that the proposed use at the on Petitioner's Exhibit 1. I/We do solemnly declare and affirm, The Petitioner, by Dr. Walter Smith, its minister, appeared and testi-Testimony indicated that the columbarium will be used by parishoners and under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. particular locaton described by Petitioner's Exhibit 1 would have any adverse fied and was represented by Counsel. In addition, four other representatives of members of their family. Further testimony indicated that the installation of impact above and beyond that inherently associated with such a special exception the Church presented testimony. Members of the Towson United Methodist Church Legal Owner(s): the columbarium would not increase the traffic or create a parking problem. Contract Purchaser: use, irrespective of its location within the zone. Schultz vs. Pritts, 432 Trustees of Towson United Methodist Church appeared to show their support for the Petition. Drs. Ellen Feifarek and Frei-Testimony regarding the other factors to be addressed in granting a special ex-Ad.2, 1319 (1981). After reviewing all the testimony and evidence presented, it (Type or Print Name) doo Malek, neighbors who live across the street from the subject property, ap-Jackson Comery ception will summarily be dealt with below. appears that the special exception should be granted. peared, not as protestants per se, but to ascertain further information and to Drs. Malek and Feifarek indicated they had no objection to the construc-Pursuant to the advertising, posting of the property, and public hearing Chairman of Board of . Jackson Emery, tion of the columbarium as proposed; however, they came to the hearing to state have the opportunity to express their views. on this petition held, and for the reasons stated above, the special exception Testimony indicated that the subject property is zoned D.R. 2 and is lothat they are opposed to the location of the traditional style cemetery (grave-City and State cated on Hampton Lane just off Dulaney Valley Road. Mr. Jackson Emery, Chairman yard) on the subject property. David Haile, Esquire, attorney for the Church, Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore Attorney for Petitioner: of the Board of Trustees of the Church presented a brief history of the subject and Dr. Smith indicated their request for a special exception is limited to the Hampton Lane County this f^{3} day of December, 1987 that a cemetery, limited to the conproperty. Mr. Emery testified as to the Church's high standards regarding main-Towson, MD 21204 construction of the proposed columbarium. struction of a columbarium in accordance with Petitioner's Exhibit 1, be ap-Jaining its property and the Petitioner's intent to maintain the same high stan-City and State The Petitioner seeks relief from Section 1.802.1 pursuant to Section roved for the Towson United Methodist Church, and as such, the Petition for ards with the columbarium and immediately surrounding property. pecial Exception is hereby GRANTED, from and after the date of this Order. decisions were made to insure that the construction of the columbarium David C. Haile It is clear that the BCZR permits the use proposed in a D.R. 2 zone by Towson, Maryland 21204 405-A Central Avenue would not adversely affect the Church or the locality. an M Neoterwin pecial exception. It must be determined whether the conditions as delineated Towson, MD 21204 321-7037 Attorney's Telephone No.: ___ Eloise Payne, a representative and member of the Church, testified that ANN M. NASTAROWICZ Assection 502.1 are satisfied by the Petitioner. Deputy Zoning Commissioner ORDERED By The Zoning Commissioner of Baltimore County, this ______ day he columbarium will be adjacent to the existing Church building. Mrs. Payne of Baltimore County The Petitioner had the burden of adducing testimony and evidence which .___, 19_87, that the subject matter of this petition be advertised, as defined a columbarium as an area, located in or near the Church, which is speciould show that the proposed use met the prescribed standards and requirements required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughfically designed for the internment of the ashes of the dead. Mrs. Payne indiout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER PETITION FOR SPECIAL EXCEPTION Baltimore County SE/S Hampton La., 495' NE of Zoning Commissioner
Office of Planning & Zoning OF BALTIMORE COUNTY C/L of Dulaney Valley Rd., 9th Election District - 4th Councilmanic District 9th Election District Towson, Maryland 21204 TRUSTEES OF TOWSON UNITED 88-201-X GERHOLD, CROSS & ETZEL METHODIST CHURCH, Petitioner J. Robert Haines Zuning Commissioner Registered Professional Land Surveyors 412 DELAWARE AVENUE TOWSON, MARYLAND 21204 LOCATION: Southeast Side of Hampton Lane, 495 feet Northeast of Centerline ENTRY OF APPEARANCE of Dulaney Valley Road 823-4470 DATE AND TIME: Tuesday, November 24, 1987, at 2:00 p.m. July 7, 1987 Please enter the appearance of the People's Counsel in the above-David C. Haile, Esquire PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Zoning Description 405-A Central Avenue captioned matter. Notices should be sent of any hearing dates or other All that piece or parcel of land situate, lying and being in the Ninth Election District of Baltimore County, State of Maryland and described as follows to wit: Dennis F. Rasmussen Towson, Maryland 21204 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and proceedings in this matter and of the passage of any preliminary or RE: Petition for Special Exception Regulations of Baltimore County, will hold a public hearing: SE/S Hampton Lane, 405' NE of c/l of Dulaney Valley Road Beginning for the same at a point on the face of the southwest wall of the Towson Methodist Church, the two following courses
and distances from the intersection of the easternmost right of way
of the ramp of the Baltimore Beltway with the southeast right
seconds East, binding on the southeast right of way line of Hampton Lane, 104 feet and South 28 degrees 52 minutes 50 seconds East,
of beginning, the four following courses and distances viz: South
face of the wall of said church, 80 feet, South 61 degrees 07 minutes
10 seconds West, binding for a part on the northwest face of the
West 80 feet and North 61 degrees 52 minutes 50 seconds 9th Election District; 4th Councilmanic District Petition for Special Exception for a columbarium (cemetery to inter the Towson United Methodist Church - Petitioner ashes of cremated bodily remains) Case No. 88-201-X Enclosed please find the decision rendered in the above-referenced case. Your Petition for Special Exception has been Granted in accordance with the at-In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal to the County Board of Appeals. wall of said church, 50 feet, North 28 degrees 52 minutes 50 seconds West 80 feet and North 61 degrees 07 minutes 10 seconds East, 50 feet to the place of beginning. Peter Max Zimmerman For further information on filing an appeal, please contact this office. Deputy People's Counsel Room 223, Court House Towson, Maryland 21204 Trustees of Towson United Very truly yours, Methodist Church Being the property of Containing 4000 square feet or 0.09 of an Acre of land more 494-2188 plan filed with the Zoning Office. A H Nishow, a ANN M. NASTAROWICZ In the event that this Petition(s) is granted, a building permit may be issued Being a part of the property of the petitioners herein as shown on a plat filed with the Baltimore County Office of Zoning. I HEREBY CERTIFY that on this 2nd day of November, 1987, a copy within the thirty (30) day appeal period. The Zoning Commissioner will, however, Deputy Zoning Commissioner entertain any request for a stay of the issuance of said permit during this period of Baltimore County of the foregoing Entry of Appearance was mailed to David C. Haile, Esquire, for good cause shown. Such request must be received in writing by the date of the atd: MMA hearing set above or made at the hearing. 405-A Central Ave., Towson, MD 21204, Attorney for Petitioner. Enclosures J. ROBERT HAINES cc: A. Jackson Emery, Chairman, Board of Trustees ZONING COMMISSIONER Towson United Methodist Church, Hampton Lane, Towson, Md. 21204 OF BALTIMORE COUNTY Mrs. Eloise G. Payne, 1 Smeton Place, Towson, Md. 21204 Dr. Ellen Feifarck, 508 Hampton Lane, Towson, Md. 21204 Dr. Freidoo Malek, 506 Hampton Lane, Towson, Md. 21204 People's Counsel

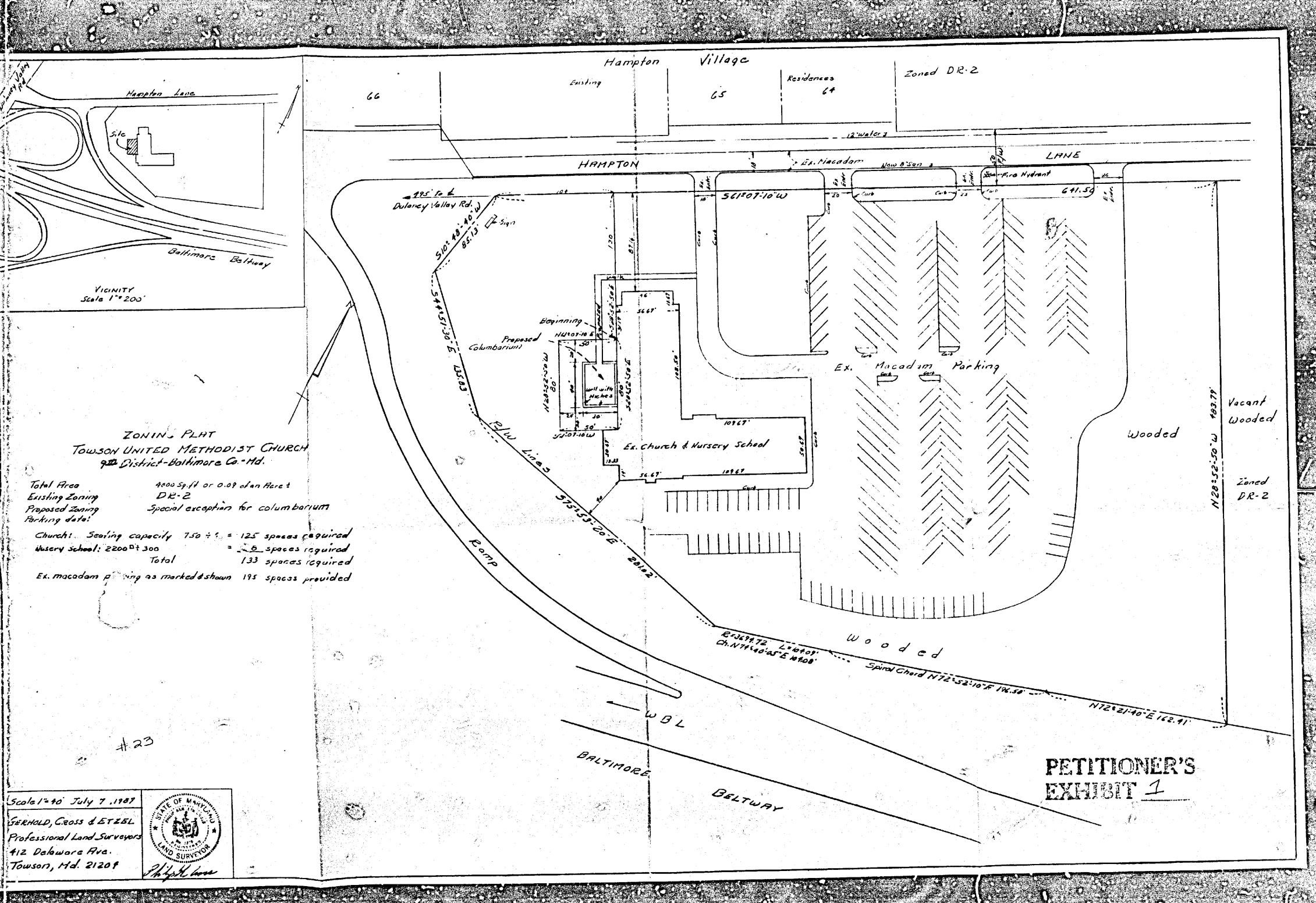




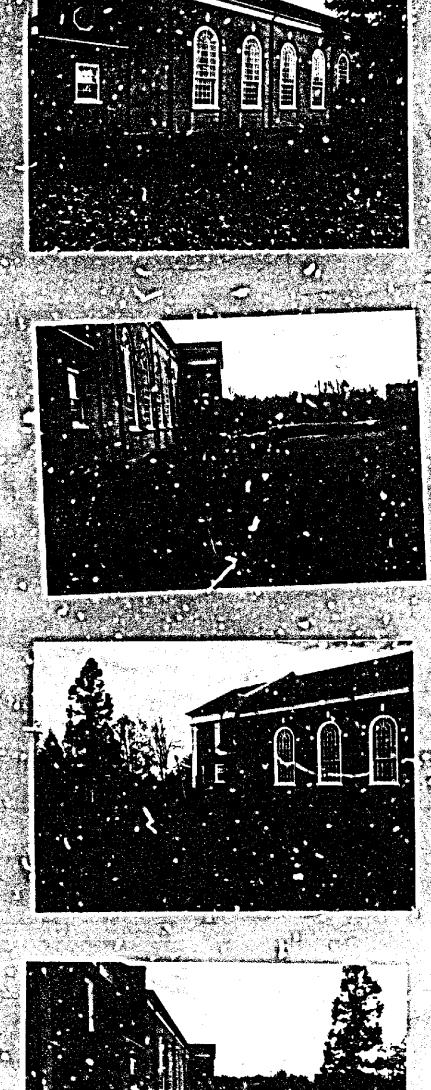


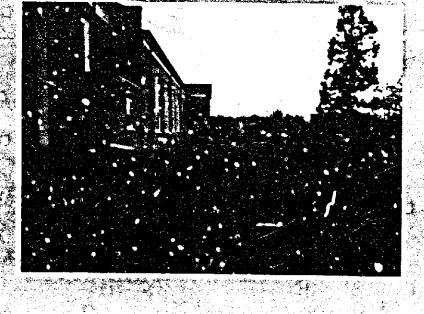












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